

Application No. 09/834,165  
Amendment dated June 14, 2005  
Reply to Office Action of March 4, 2005

## **REMARKS**

### **Status Of Application**

Claims 25-42 are pending in the application; the status of the claims is as follows:

Claims 32-42 are withdrawn from consideration.

Claims 25, 26, and 28 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,411,306 B1 to Miller et al. ("Miller et al.").

Claim 27 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller et al.

Claims 29-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. in view of U.S. Application Publication No. US 2003/0043299 A1 to Lee et al. ("Lee et al.").

The acknowledgment, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), is acknowledged with appreciation. However, the allegation that the certified copy of the priority document has not been received, is respectfully traversed as being contrary to fact. Submitted herewith is a Proof of Submission of Certified Copy of Priority Document, which is provided to overcome the allegation. Reconsideration and withdrawal of the allegation is respectfully requested.

Please note that an Information Disclosure Statement, along with a PTO Form 1449, was filed on April 12, 2001; however, we have not received a copy of the PTO Form 1449 initialed by the Examiner. Enclosed is a copy of the PTO-stamped postcard showing that the U.S. Patent and Trademark Office has received the Information Disclosure Statement and PTO Form 1449. Acknowledgment of receipt of these documents is respectfully requested.

The indication, in the Office Action, that the Examiner has no objections to the drawings filed on April 12, 2001, is noted with appreciation.

### **Claim Amendments**

Claims 26 and 30 have been amended to improve the grammar thereof. These changes are not necessitated by the prior art, are unrelated to the patentability of the invention over the prior art, and do not introduce any new matter.

### **35 U.S.C. § 102(e) Rejection**

The rejection of claims 25, 26, and 28 under 35 U.S.C. § 102(e) as being anticipated by Miller et al., is respectfully traversed based on the following.

Claim 25, and claims 26 and 28 which depend therefrom, require that the corrector “decreases brightness of an image displayed on said display as brightness of said environment light increases.” That is, the brightness of the display is adjusted opposite to a change in environmental light. In direct contradistinction, Miller discloses that when ambient luminance increases, the luminance of the display should also be increased. That is, the brightness of the display is adjusted in the same direction as a change in environmental light. See column 1, lines 39-56. See also, column 2, lines 46-54, wherein the equation clearly shows that brightness of the display (  $\log(L_d)$  ) increases as environmental light (  $\log(I)$  ) increases. Clearly, Miller discloses the opposite of what is claimed.

In section 3 of the Office Action, Fig. 3 is cited as showing that Miller teaches that “corrector (18) increases contrast in an image displayed on said display (col. 2 lines 8-18, figure 3) and decreases brightness (relative brightness on Y-axis) of an image displayed on said display as brightness of said environment light increases (The brightness of surround environment light increases as shown in figure 3 from DARK, DIM, to AVERAGE while the relative brightness on Y-axis of the display device decreases.” This is an incorrect

interpretation of Fig. 3, which merely shows the perceived relationship between environmental light and contrast of image elements. That is, Fig. 3 shows that a viewer would perceive an increase in image contrast with increasing surround luminance. See column 2, lines 15-18. Fig. 3 does not relate to "image correction."

Accordingly, it is respectfully requested that the rejection of claims 25, 26, and 28 under 35 U.S.C. § 102(e) as being anticipated by Miller et al., be reconsidered and withdrawn.

**35 U.S.C. § 103(a) Rejections**

The rejection of claim 27 under 35 U.S.C. § 103(a), as being unpatentable over Miller et al., is respectfully traversed based on the following.

Claim 27 depends from claim 25. As provided above in regards to claim 25, Miller teaches the opposite of what is recited in claim 25. Accordingly, claim 27 distinguishes Miller for at least the same reasons as provided with respect to claim 25.

Moreover, Miller does not teach that detector 16 detects the brightness of the environment light from exposure time, incident light amount, and sensitivity of an image pickup device (area sensor 12 of Miller).

With respect to Official Notice, it is respectfully submitted that the Examiner has not presented grounds showing that it is notoriously well known to have a detector detecting brightness of environmental light based on sensitivity of the image pick-up device.

Accordingly, it is respectfully requested that the rejection of claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Miller et al., be reconsidered and withdrawn.

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The rejection of claims 29-31 under 35 U.S.C. § 103(a), as being unpatentable over Miller et al. in view of Lee et al., is respectfully traversed based on the following.

Claim 29, and claims 30 and 31 which depend therefrom, require that the corrector “changes hue of an image displayed on said display in the direction same as hue of said environment light.” As stated in section 6 of the Office Action, “Miller fails to teach wherein the corrector is used to change the hue of said display device in the direction of the environmental light.” Lee is cited as providing the missing teaching. However, after carefully reviewing Lee, it is respectfully submitted that Lee fails to explicitly teach how the hue of a displayed image is adjusted to compensate for a change in the hue of environmental light. Therefore, neither Miller, Lee, nor the combination thereof, teach that the hue is changed in the same direction as the environmental light.

Accordingly, it is respectfully requested that the rejection of claims 29-31 under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. in view of Lee et al., be reconsidered and withdrawn.

### **CONCLUSION**

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.


If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be

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construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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